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Draft Chesapeake Bay Total Maximum Daily Load

Comment On: EPA-R03-OW-2010-0736-0001
Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

Document: EPA-R03-OW-2010-0736-0367
Comment submitted by Karen W. Forget, Executive Director, Lynnhaven River NOW

Submitter Information

Submitter's Representative: Karen W. Forget, Executive Director
Organization: Lynnhaven River NOW

General Comment

November 8, 2010

Director Lisa Jackson
Environmental Protection Agency
Washington, DC

To Whom It May Concern:

Thank you for the opportunity to offer comments on the Bay TMDL and Virginia's Watershed Implementation Plan. I am Karen W. Forget, the Executive Director of Lynnhaven River NOW in Virginia Beach. I am here on behalf of Lynnhaven River NOW and our 4,000 members in Virginia Beach. We believe that clean water is critical for our health, our economy and our quality of life and that it is our responsibility as citizens and the responsibility of those who have been elected to serve the citizens of Virginia in our state government to do everything possible to restore and protect our waterways including the Chesapeake Bay.

A TMDL is only as strong as its implementation plan. Without a strong implementation effort, it is fundamentally an academic process and a waste of time and taxpayer money. The Watershed Implementation Plan that Virginia has presented is basically "business as usual". It proposes that the state continue to do things exactly as they have been done in the past with a very low priority being given to water quality improvements. This has not worked and it will not work now. To continue business as usual will produce the same results we have now---thousands of miles of impaired waterways throughout the state and a very sick Chesapeake Bay.

We have had success with the TMDL process for bacteria reduction in the Lynnhaven River in Virginia

Beach because the implementation of the bacteria TMDL and cleaning up the river was made a highest priority by the city and a real commitment of funds, attention and collaborative effort has been made to reach that goal. I expect no less of a commitment from the state to clean up all of our waterways and the Chesapeake Bay. It must be a highest priority and a real commitment of funds, attention and collaborative effort needs to be made if the goals established by the Chesapeake Bay TMDL are going to be met.

While some progress has been made in reducing pollution from agriculture and wastewater treatment plants, runoff from stormwater in urban and suburban areas has continued to rise and, without a significant change, will continue to rise further. Progress has been made on reducing pollution from wastewater treatment facilities because funds have been allocated for upgrades to old plants and this work has been prioritized. The same commitment could work for urban and suburban stormwater. However, the proposed Watershed Implementation Plan lacks any specifics on how to achieve these reductions. Real reductions from this area will not occur without robust requirements on both redevelopment and greenfield development as well as funding to assist local governments with stormwater system upgrades.

Meeting the levels of the TMDL will put huge demands on city and counties to meet the new standards. The burden of some of this will necessarily need to be borne by the localities. Nevertheless, the EPA and the Commonwealth of Virginia have a responsibility to provide mechanisms to assist localities with these efforts. In addition, the EPA has a responsibility to insure that the data on which these reductions are based is both current and accurate. Failure to do this, could drastically slow down the clean up effort.

The waterways of the state belong to the people of Virginia. And there is no more fundamental responsibility of our state government and our federal government than the restoration and protection of our waterways. Clean water is critical to our health, our economy and our quality of life. We all have a responsibility for clean water. The citizens will do their part; the municipal governments will do their part. Will the state do its part?

Thank you for your time and attention.

Sincerely,

Karen W. Forget

Karen W. Forget
Executive Director